

AN ACT

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000 and the Vacant and Abandoned Properties Community Development and Disapproval of Disposition of Certain Scattered Vacant and Abandoned Properties Act of 2002 to clarify and broaden the classes of real property to be acquired by the Mayor in furtherance of the elimination of abandoned property and blighted conditions in District neighborhoods.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Home Again Initiative Community Development Amendment Act of 2006”.

Sec. 2. Section 431 of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 27, 2001 (D.C. Law 13-281; D.C. Official Code § 42-3171.01), is amended as follows:

Amend
§ 42-3171.01

(a) A new paragraph (1a) is added to read as follows:

“(1a) “Blighted Area” shall have the meaning as set forth in section 2(6) of the National Capital Revitalization Act of 1998, effective September 11, 1998 (D.C. Law 12-144; D.C. Official Code § 2-1219.01(6)).”

(b) Paragraph (4) is amended to read as follows:

“(4) “Slum and blight” means one or more parcels of land, whether vacant or improved that are in a blighted area, or exhibit one or more characteristics of a blighted area.”.

Sec. 3. The Vacant and Abandoned Properties Community Development and Disapproval of Disposition of Certain Scattered Vacant and Abandoned Properties Act of 2002, effective April 2, 2003 (D.C. Law 14-267; D.C. Official Code § 10-831 *et. seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 10-831) is amended as follows:

Amend
§ 10-831

(1) Subsection (a)(2) is amended by striking the phrase “a single-household residence or a multi-household residence of 5 or fewer units” and inserting the phrase “a single-

household property or a multi-household property containing 25 or fewer single-household dwelling units” in its place.

(2) Subsection (b) is amended by striking the phrase “2006” and inserting the phrase “2011” in its place.

(b) Section 3 (D.C. Official Code § 10-832) is amended as follows:

Amend
§ 10-832

(1) Subsection (b) is amended to read as follows:

“(b) A single-household property disposed of pursuant to this act shall be disposed of as part of a bundle of at least 5 properties and not more than 25 properties. A property improved as a multi-household property containing at least 5 single-household dwelling units and no more than 25 single-household dwelling units may be disposed of individually or as part of a bundle of up to 25 properties.”.

(2) A new subsection (c) is added to read as follows:

“(c) At least 30% of all single-household dwelling units, irrespective of whether they are single-household dwelling units contained in a multi-household property or in a single-household property, in each bundle of property disposed of pursuant to an RFP, or such greater proportion determined by the Mayor, shall be sold or rented at a price affordable to a household earning 60% or less of the area median income. If the number representing 30% of the single-household dwelling units is not a whole a number, the Mayor may round to the next lower whole number.”.

(3) A new subsection (d) is added to read as follows:

“(d) Each property shall be disposed of on an as-is basis.”.

(c) Section 4(a) (D.C. Official Code § 10-833(a)) is amended as follows:

Amend
§ 10-833

(1) Paragraph (3) is amended by striking the phrase “offered for sale” and inserting the phrase “offered for sale or rental” in its place.

(2) Paragraph (4) is repealed.

(3) Paragraph (5) is repealed.

(d) Section 5 (D.C. Official Code § 10-834) is amended as follows:

Amend
§ 10-834

(1) Subsection (a) is amended as follows:

(A) Strike the phrase “as part of the RFP for the disposition of a bundle of properties” and in insert the phrase “as part of the RFP for the disposition of a bundle of property” in its place.

(B) Paragraph (2) is amended by striking the phrase “rehabilitation and resale of the properties” and inserting the phrase “rehabilitation and resale or rental of the property” in its place.

(2) Subsection (b) is amended to read as follows:

“(b) If the Mayor offers a subsidy as part of an RFP, the subsidy shall be stated as a maximum available amount. The amount of subsidy requested and the affordability levels achieved shall be weighed when determining the points awarded to an offeror.”.

(e) Section 6 (D.C. Official Code § 10-835) is amended as follows:

Amend
§ 10-835

(1) The lead-in sentence is amended by striking the phrase “An RFP to dispose

of properties” and inserting the phrase “An RFP to dispose of property” in its place.

(2) Paragraph (3) is amended as to read as follows:

“(3) Affordability. The minimum affordability level shall be determined pursuant to section 3(c), and shall remain in effect for not less than 10 years for property offered for sale to the public and not less than 40 years for property offered for rental to the public. More points shall be awarded for proposing to develop additional affordable single-household dwelling units (that is units not counted toward the minimum affordability level); greater levels of affordability (that is affordable to a household earning 60 % or less of the area median income); or for longer periods of affordability (that is for longer than the minimum period of affordability). (20 points)”.

(3) Paragraph (5) is amended by striking the phrase “Feasibility shall be based on the consideration of whether the properties will be likely to be developed and sold in the time-line proposed, with the quality of construction proposed, and at the sales prices proposed.” and inserting the phrase “Feasibility shall be based on the consideration of whether the property will be likely to be developed and sold or rented in the time-line proposed, with the quality of construction proposed, and at the sales or rental prices proposed.” in its place.

(f) Section 7(a) (D.C. Official Code § 10-836(a)) is amended to read as follows:

Amend
§ 10-836

“(a) Within 90 days after a winning proposal is selected, the Mayor and the selected person shall enter into a disposition agreement governing the sale of the bundle of property. Each disposition agreement shall provide for, and the Mayor and the selected person shall consummate, the sale of the bundle of property within 270 days after the effective date of the disposition agreement; provided, that if the selected person must obtain regulatory approval for zoning or historic preservation purposes prior to the demolition, construction, or rehabilitation of a property to be disposed of, including a rezoning, special exception, or variance, the disposition agreement shall provide for, and the Mayor and the selected person shall consummate, the sale of the property within 360 days after the effective date of the disposition agreement.”.

(g) Section 9(6) (D.C. Official Code § 10-838(6)) is amended to read as follows:

Amend
§ 10-838

“(6) A cumulative list of each property disposed of pursuant to this act including:

“(A) The status of the rehabilitation of the property;

“(B) Whether the developer has resold or rented the property;

“(C) A list of the properties sold or rented as affordable to households earning 60% or less of area median income, that specifies the percentage of area median income earned by the household; and”.

Sec. 4. Fiscal impact statement.

The Council adopts the attached fiscal impact statement as the fiscal impact statement required by § 602(c) (3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206(c)(3)).

ENROLLED ORIGINAL

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in § 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Chairman
Council of the District of Columbia

Mayor
District of Columbia